

**UTILITY RADIOLOGICAL SAFETY BOARD OF OHIO
MEETING MINUTES
JANUARY 9, 2006**

Mr. Melvin House called to order the January 9, 2006 meeting of the Utility Radiological Safety Board of Ohio at 1:30 p.m.

Mel House introduced Marti Underwood who will be the primary secretary of the Utility Radiological Safety Board of Ohio and Angela Howard will be the back-up.

The first order of business was roll call, taken by the URSB Secretary, Marti Underwood.

I. ROLL CALL

EMERGENCY MANAGEMENT AGENCY	MR. MELVIN HOUSE
DEPARTMENT OF HEALTH	MR. ROBERT OWEN
DEPARTMENT OF AGRICULTURE	MR. ANTHONY MITCHELL
PUBLIC UTILITIES COMMISSION	MR. DAN FISHER
ENVIRONMENTAL PROTECTION AGENCY	MS. CINDY HAFNER
DEPARTMENT OF COMMERCE	MR. DEAN JAGGER
	MR. PIETER WYKOFF

A quorum was declared.

II. READING OF THE OCTOBER 11, 2005 MINUTES (ADOPTED)

The Board dispensed with reading of the October 11, 2005 minutes. Mr. House asked for any additions, corrections or deletions to the minutes. Mr. House asked for a motion to approve the minutes. Mr. Dan Fisher of the Public Utilities Commission of Ohio (PUCO) moved to adopt the minutes and Mr. Anthony Mitchell, of the Ohio Department of Agriculture (ODA) seconded. The motion was carried.

III. OLD BUSINESS

A. Working Group Initiatives. Initiatives were reviewed by Carol O’Claire, EMA. There are a couple of new initiatives that have been added and will carry through 2006. The first one is the Beaver Valley Power Station Ingestion exercise which is a six-year requirement with the evaluated exercise scheduled for June 27 and 28. June 27 is the plume phase and June 28 is the ingestion phase. The dry run will be held June 6 and 7. The unevaluated drill will be conducted on April 18. The Federal Outreach Program is scheduled for March 1 and 2.

The second one is the Perry Nuclear Power Plant Partial Participation exercise. The graded exercise will be conducted on October 24. The dry run is scheduled for October 3. Plume phase only during working hours since this is a partial exercise so the Operations Center will not be activated and we will not have field monitoring.

The third is the Beaver Valley Alert-Notification System (ANS) Self-Assessment which was conducted August 29 through September 2. The final report was received. Carol O’Claire continued her report on the Working Group Initiatives. The new site vice president at Perry is Bill

Pierce, who was the vice president at Beaver Valley. Jim Lash is Bill Pierce's replacement at Beaver Valley. At Davis-Besse, Eddie Edwards will observe the inspection on February 13. ***Correction on date:*** On page 2, under 6. b. of the Davis-Besse Nuclear Power Station, the NRC special inspection of the discrepant alert and notification system performance indicator conducted in October 2004 – should read, "October 2005."

State Dose Assessment – David Mix, from the Ohio Department of Health, stated that training will take place for individuals on the revised version of RASCAL when NRC makes new training available in March.

Roland Lickus, USNRC – Region III, asked if he could get the information as to who from the state would like to attend the training as soon as possible because they are getting a number of responses and they may need to arrange for a larger room. The training will be in Chicago for Region III personnel. Vernon Higaki, of First Energy, said that they were going to send some representatives from the plant to this training and wanted to know who to send this information to. Roland stated that the names should be sent to Mr. Ryan Alexander, Emergency Response Coordinator, at Region III in Chicago.

KI – David Mix reviewed the information on the NRC requesting the state to consider adopting liquid KI for children under the age of 10. January 31 is the deadline to make a decision to adopt this; however, an extension of time has been requested of headquarters. Liquid KI comes in a bottle of 30ml which is equivalent to 30 doses, one bottle per child per household to the 10-mile EPZ. They will get sufficient quantities and coordinate with the local health commissioners on the decision about distributing this and at the same time, coordinate the distribution of public KI which expires in May of 2007. Vernon Higaki asked about the shelf life. There is a five-year shelf life. David Mix stated that there has not been any work on the extension of that, and that he would forward an email he sent to the local health commissioners to Vernon Higaki regarding the verification with the FDA, selection, analysis and other information relating to the liquid KI. Vernon Higaki stated that they could carry this dialog in the NEPAC meeting. Carol O'Claire asked if the public KI would be replenished after it expires in 2007. Roland Lickus responded that the NRC position was that the original supply of the pills would not be replenished by them, that you would have to take it upon yourself. Regarding the liquid KI, the Commission has not indicated one way or the other what their position is on that.

Ohio Agriculture Brochure – Anthony Mitchell reported that the Ohio Agriculture Brochure will be reviewed with the IZRRAG team and will update it as necessary for distribution in the fall of 2006.

- B. **Bob Owen reviewed the Department of Health Midwestern Radioactive Material Transportation Committee Report.** The topics covered were: Committee Leadership, DOE Protocols Working Group, TRANSCOM Transition, Section 180 (c) Funding - Nuclear Waste Policy Act, Security Topic Group, Rail Topic Group, Route Identification Work Group, Office of Civilian Radioactive Waste Management (OCRWM) Overview, NRC Studies, Private Fuel Storage, Nuclear Energy Institute, Route Identification Meeting, and the Tour of Yucca Mountain. No discussion followed. (Initiatives and the Department of Health Midwestern report are attached.)

IV. NEW BUSINESS

A. Nuclear Regulatory Commission – Roland Lickus, representative for the NRC, presented his report.

1. **Davis-Besse Nuclear Power Station (DBNPS)** - as a result of an NRC supplemental inspection that occurred in October, 2005, NRC evaluated the status of a previous white finding in the emergency preparedness area of Davis-Besse regarding the loss of capability to activate the warning sirens for a 10-day period. And the degraded capability to activate the sirens 20 days prior to that period. In addition, that team also reviewed the status of the licensee's response to the submittal of what is termed the "Discrepant Alert Notification System Performance Indicator" data for the second three quarters of 2004. In both cases, NRC inspectors concluded that Davis-Besse's corrective actions were sufficient to address the causes and prevent reoccurrence of both of these issues. As a result, the white finding is now closed and the Performance Indicator data is being assessed and recorded correctly. Davis-Besse has, therefore, been placed in column 1, or the Licensee Response column, of the NRC's Action Matrix which means basically that we will be performing our routine basic reactor oversight inspection program at that facility.
2. On January 4, 2006, NRC issued orders to four individuals prohibiting their involvement in NRC-regulated activities because of their roles in providing incomplete and inaccurate information to our agency on conditions at the Davis-Besse Nuclear Power Plant in 2001. NRC has concluded that these four individuals that included three former utility managers engaged in deliberate misconduct by providing inaccurate and incomplete information about the extent of reactor vessel head cleaning and inspection. The four individuals are no longer employed by First Energy. Orders prohibiting involvement in NRC-regulated activities for a period of five years were issued to three individuals: David Geisen, who was manager of design engineering; Dale Miller, who was regulatory affairs compliance supervisor; and Steven Moffitt, who was technical services director. An order prohibiting involvement in NRC-regulated activities for a period of one year was also issued to Prasoon Goyal who was a senior design engineer at Davis-Besse at the time. These orders are immediately effective and these individuals have 20 days in which to request a hearing. NRC did issue an order to one other individual in April of 2005, Andrew Siemasko, who was a system engineer at Davis-Besse, and he was also prohibited from engaging in NRC-regulated activities for a period of five years; however, he has requested a hearing on that and the hearing action is ongoing at this time. The NRC has also previously referred these issues to the Department of Justice relative to the Davis-Besse reactor vessel head damage and they are still completing their investigation.
3. Regarding Perry status, early in the third quarter 2004, Perry transitioned to column 4 or the Multiple Repetitive Degraded Cornerstone column of NRC's Action Matrix. They will receive increased attention from the NRC relative to the problems that were identified that caused them to be in this particular column. There were multiple white findings for five consecutive quarters. A supplemental inspection was conducted and completed in May 2005, as a result of those inspections, and also other supplemental inspections at Perry, a number of findings have been identified in the areas of cross-cutting areas of human performance and corrective action program deficiencies; in

addition, a Confirmatory Action Letter was issued to Perry on September 28, 2005 to confirm NRC's understanding of the actions First Energy was taking to improve performance at the Perry Plant. That included improved performance in four specific areas involving issues related to the quality of maintenance procedures of the plant; problems identified with their corrective action program; human performance problems; and also problems in the area of emergency preparedness. A public meeting was held on October 12, 2004 to discuss the Confirmatory Action Letter. During this meeting, First Energy discussed their plans to address improvements at the plant and also their plans relative to correcting the repeating substantive cross-cutting issues. The assessment of Perry's performance improvement initiative started November 7, 2005 by NRC in the form of an inspection, a briefing for the licensee was held at the conclusion of that inspection on November 18, 2005. A public meeting was held on December 14, 2005 to discuss the results of that inspection, there were no findings of significance as a result of that inspection. Note: There will be a public meeting tomorrow, January 10, near the Beaver Valley site between managers of the NRC and First Energy to discuss performance of all three nuclear power plants under First Energy's control. It will provide an opportunity of our managers from the Region I and Region III offices to meet with First Energy executives to discuss performance issues.

4. **Liquid KI** – comes in black raspberry and has a shelf life of five years. However, this particular version is not extendable – the shelf life is due to the fact that it has sugar syrup. Only one state has said that has currently taken them up on this offer and that is the state of North Carolina who has requested a supply. West Virginia is contemplating it. Pennsylvania considered it, but doesn't have an interest in it.
5. **Revision to NRC Regulatory Issue Summary dealing with methodology for the development of Emergency Action Levels (EALs) and emergency plans.** There's one section that deals with the approval of state and county authorities over changes to Emergency Action Levels. It states that in April 2005, NRC amended Part 50 of its regulations to clarify its position relative to state and local approval of these Emergency Action Levels. State and local approval is only required for the initial implementation of the EALs in an emergency plan and that it is not required every time a licensee wants to change an EAL thereafter. However, they do recognize that licensees are required to review the EAL changes annually with the state and local governments.
6. **Outreach Program** – The Beaver Valley Ingestion Exercise is coming up, and the feds like to participate because they may have some resources that haven't been seen before. A lot is DOE resources with FRMAC and with supplemental monitoring teams that could help in the field. They have three Ingestion Exercises in 2006 – in addition to Beaver Valley, there is one at Fermi and one in Braidwood, Illinois. When the feds come out, they like to do a briefing in advance of showing up for the exercise and that is called an Outreach meeting. They come out in advance of their participation. The Beaver Valley Ingestion Exercise Outreach meeting will be Wednesday, March 1. February 27 they will be in Lansing, Michigan for the Fermi people; and Friday of that week, they will be in Springfield. FEMA is offering to hire a bus for these Outreach meetings. The format for the Outreach meeting will be a full-day meeting, with a half-day of presentations by a few federal agencies on what our federal capabilities are, presentation

on FRMAC resources and their capabilities, the Advisory Team Health in the environment what their roles and responsibilities are, and we would like the state and counties to talk about their emergency plan during the Ingestion phase and how they are organized and how they plan to integrate federal resources into their capabilities to get good discussion. The afternoon will be a table top exercise with a small scenario and DOE will bring in some maps as well as support that table top exercise and they will go around the table to discuss what different agencies will be doing at different phases of the event.

Q: Vernon Higaki asked about the Columbus Outreach.

Roland Lickus answered that the Outreach would be in Columbus on March 1 for generic items at Ohio EMA in room 204, and on March 2 it would be followed up by detailed FRMAC training for state field teams and environmental response personnel.

Q: Bob Owen asked if there would be an NRC presence at the actual exercise itself.

Roland Lickus answered that there would be an NRC presence as well as DOE presence, and a small FRMAC contingent and Advisory Team members who will be here as well.

The meeting convened for a short break at 2:26 p.m.

The meeting reconvened at 2:40 p.m.

B. Utility Reports

1. Beaver Valley Power Station (BVPS)

Vernon Higaki reintroduced Greg Hanlon, who is the director of regulatory affairs for the First Energy Nuclear Operating Company and Nick DePetro, who is the fleet manager for access authorization of the process to gain access to the nuclear facilities.

Beaver Valley Station – Alert Notification System Self-Assessment that is the siren system. Periodic self-assessments are done at all three plants on siren systems. The Beaver Valley report is in the packets and was issued on November 21. Vernon Higaki reviewed the items on his report. One follow-up item, they have submitted the siren design report and request for increased testing to the Pennsylvania Emergency Management Agency. Copies went to the Ohio EMA, a number of counties and FEMA Region V. The report went out on December 17, 2005. That will increase the siren testing from monthly to once a week.

Q: Carol O’Claire asked if this will mean that eventually all the FEMA plants’ testing will be once a week?

Vernon answered yes. The First Energy standard is going to be one siren test per week. It could be a different test, it could be an audible, or it could be a growl test; but it will be one test of the siren system per week.

Q: Mel House asked if these were on a rotation on the different tests?

Vernon answered yes. We haven’t standardized that between the plants because a lot of the agreements, for example, the audible test is worked out with the communities so they didn’t want to disturb that agreement.

November 21, 2005 – Beaver Valley – No. 1 charging pump – Greg Hanlon reported on this. Greg stated that Vernon is still assigned at the Perry Plant because they do not have a permanent emergency preparedness manager there yet. On November 21 at Beaver Valley, a report was made to the NRC describing the potential loss of safety function identified during an engineering evaluation that was not identified in postulated fine scenarios. One of the issues was that there could be a loss of component cooling water on Unit 1 during a fire scenario. Immediate action was taken to detect any potential fires. Procedure changes have been done to rectify the situation. Presently, Beaver Valley 1 is in full compliance with NRC regulations regarding fire protection.

February Refueling Outage – Unit 1 will start on February 13 and will be a 65-day outage. Significant activities will be to replace all three steam generators and the reactor head.

New Columbiana County Emergency EOC – they thought this would be operational in December, but it has slipped to the end of January. They still plan to meet with FEMA to review that emergency operations center.

Q: Carol O’Claire asked if it was January 25.

Vernon answered yes, he believed so he hadn’t heard anything different from Mr. Dodson, director of the Columbiana County Emergency Management Agency.

2. **Davis-Besse Nuclear Power Station (DBNPS)**

Davis-Besse did receive approval from FEMA for increased siren testing to once per week. Vernon referred to the handout showing the successful siren testing – 13 tests were conducted during the fourth quarter with the following results: 693 successful versus 694 sirens tested during the quarter for a success rate of 99.86%; 12-month NRC Performance Indicator at year end for 99.76%; and back-up activation system test on December 2, 2005 for 100%. The 28 oldest sirens are being replaced with battery backed-up sirens.

Q: Mel House asked if they were doing away with all the old sirens at the end of the project? And, did they all have battery back-up?

Vernon answered it would be the oldest that they have. He said that it would be just the 28 with battery back-up, all together there are a total of 54 in the EPZ.

Independent Assessments: Organizational Safety Culture, including Safety Conscious Work Environment. The assessment did find that this continues to improve at Davis-Besse. The process to establish a strong and effective work environment is in place. There were three areas that were marginally effective. They still believe that accountability for safety in the organization is top-driven instead of being pervasive throughout the entire organization.

Engineering Program Effectiveness – the programs were determined to be effective and the quality of engineering work products and support work has improved. A multi-utility team did this assessment. They had favorable results. There were some areas that required additional attention – refer to FENOC plant report.

Mini-outage of October 28, 2005 – the outage commenced on October 28, 2005 and returned to the grid on October 31. There were a number of equipment issues at the Davis-Besse plant, and the staff completed over 200 work activities which improved the plant. One item that was not listed on the report was that they also adjusted the switch yard switch for the main generator which was showing elevated temperatures so they made an adjustment to that. It was a very successful outage and it was an opportunity to test the processes to get ready for the March 2006 outage.

Downpower of November 26, 2005 (correction from the report that listed the year at 2995) – This was conducted due to slowly increasing vibrations on #2 main feedwater pump. Power was reduced to 61% to take the pump off line for inspection. The pump was found out of alignment. Coupling was re-installed and laser alignment was performed. The plant returned to 100% power on November 28.

1. **Perry Nuclear Power Plant (PNPP)** – there were two items: one was the supplemental inspection for the NRC Performance Indicator for the Residual Heat Removal (RHR) System crossed the Green to White threshold in the second quarter 2004. The White Finding should be closed as a result of this inspection.
2. **Perry Phase 2 Improvement Initiatives** – listed six core areas that they have taken significant actions to improve their performance. There are 106 remaining action items that are individually scheduled and will be completed in March 2007, and that's because a number of these will be looked at for their preparations for the next refueling outage. The real emphasis is that they make sure that the progress that they have made is continuous and sustainable. Vernon suggested looking at the Program Matrix, in the URSB handout, where there were three White Findings at Perry; if they are successful with these two inspections, this should be reduced to one.

Q: Carol O'Claire asked if this was the Mitigating Systems.

Vernon answered yes. There's a supplemental inspection scheduled for that also in the first quarter, but he did not have a specific date for that.

3. **FENOC** – Greg Hanlon stated that he would have Nick walk them through the unescorted access, but he wanted to briefly discuss that he met with the state staff on December 6 and worked through a lot of the issues and the first part of solving any problems was having a clear understanding of what the problems were. The course of action from here, is to develop what they need to do to fix the problem and have a lot of state interaction. Most of this is Beaver Valley and they will track these to closure.
 - a. **Unescorted Access Agreement** – this agreement was listed under "Tab 4" of the URSB handout. Nick DePetro stated that there should be some wording adjustments: on the second page, paragraph 1, second line, it states Parts 73.56 and 26. It should also include Part 73.57 which is the regulation that controls finger prints. In the second paragraph, last sentence, where it states, "Positive results from drug/alcohol testing shall be provided to the state of Ohio agency employer for the employee granted unescorted access, with copies maintained by FENOC." FENOC will provide those results at the request of the employee because their programs are designed to maintain the privacy confidentiality of the subject individuals.

Access of the representatives from the state: their programs are designed to give them a high assurance that individuals granted unescorted access to the nuclear facilities are trustworthy, reliable and fit for duty to do their assigned duties. The background would require the state employees to fill out a personal history questionnaire; verify I.D.; do an FBI criminal history check; drug and alcohol test; physiological test; verify employment/unemployment; credit report; develop reference checks; military clarification; and educational verification if within the scope of the background; and since most of the state employees were with the state for a period of three or more years, that would speed up the background verification process. And the individuals would have to pass a plan access training module which is about eight-hours of training and once that is all completed, it will be reviewed by one of the company officials and they would be granted unescorted access. The individuals would be granted unescorted access for the period of the inspection or the observation that they would want to do, and when they leave they would collect their security badges and then when the next inspection would be coming up they would coordinate with the state and have their unescorted access reinstated. They have four tests: a Pre-Access, a Random, a For Cause and a Follow-up. In a case where someone has an initial access, they would have a pre-access test. Once badges are active, they would be in the Random testing program and they may be subject to a random test. When they collect the badges, they would not be in their program. And when they come back six weeks or six months later, they would assess how long they had been away from the program and update the background information and then have a subsequent pre-access test for that period and then put back in the random testing period.

Q: Carol O'Claire asked that every time someone is going to observe an inspection, they can expect a drug and alcohol test?

Nick answered yes, if they are coming in on a frequency. Once someone holds access, if it is terminated, anything subsequent after 30-days past that termination would require a new drug test. It is a 30-day window that they are looking at.

Q: David Mix asked about the number of days they need notification for reactivation – five days, seven days? What's the shortest period of time they have to reactivate?

Nick answered once an individual has been cleared through the initial process, it wouldn't be any more than five days.

Q: David Mix stated that when Sam first briefed these requirements, when an individual terminates favorably, there's a certain number of days that you have to be off before you can access again to reinstate the badge – a week or two weeks?

Nick answered no. If it was a matter of a few days, there wouldn't be a problem in getting a badge reactivated.

Q: David Mix asked if they would need to recertify plant access training periodically. Is that annually?

Nick answered yes – it is a 12-month nominal period.

Q: Carol O'Claire asked if they would have reciprocity at the three sites?

Nick answered yes and once an individual had unescorted access, they could transfer to any one of the FENOC facilities.

Q: Bob Owen stated that Nick had mentioned four types of testing, but only two were referenced.

Nick explained the four types of testing.

Q: Carol O’Claire asked if someone would fail any portion of the fitness for duty, what would the impact be for FENOC?

Nick answered that they, as a utility, are involved with the Personnel Access Data System. Demographic information is in that system, and they are either granted unescorted access or denied. Every licensee in the country has access to that system. Any positive drug or alcohol test that they would have, that individual’s information would be flagged in this Personnel Access Data System – it would have a date with a flag. The individual would be denied unescorted access a minimum of 14 days. Be required to have a drug and alcohol assessment done and based on the assessment, the individual would be given a recommended treatment program. They would have to complete that treatment program and the individual would need to be certified to be drug and alcohol free and reapply for unescorted access and that would be reviewed by our medical review officer and our company reviewing official. And then a subsequent unescorted access determination would be made.

Q: Carol O’Claire asked if this would have to be their treatment program, or could it be the state’s treatment program?

Nick answered that it could be the state’s treatment program. But the state’s treatment program would have to be reviewed by their medical review officer. Nick also stated that for this initial access period, they would need to coordinate when the first inspection or assessment would be done when they would like to have their people badged by. If they have a time frame of when the process would start, and when a requested date for badges would take place, they should be able to make that date. The process shouldn’t take more than five days depending on the availability of the individuals. They could do the training at Ohio EMA, but the personal backgrounds and other activities would need to be done at their certified facilities; especially the drug and alcohol testing needs to be done at a secure facility. They have certified collection facilities at each of their sites. They would be ready to go whenever the Agreement is tightened up.

Tammy Little stated that she would make the changes to the Agreement.

Carol O’Claire stated that she would have Nancy Dragani sign the Agreement and send it to Greg Hanlon at FENOC.

- b. **Status of common fleet emergency plan/benchmarking** – Vernon Higaki stated that they have developed a draft of the common plan with the basic concepts. He will have complete comments done by the end of January. At some point, they will develop a schedule. He will work with either the utility working group or somebody to get the state’s comments. Right now it is preliminary. They will be trying to change their Emergency Action Levels. There are several schemes that can be used. The Plan should have a common section and an addendum for each plant which will contain the individual Emergency Action Levels for each plant.

Q: Carol O’Claire asked when the plan would be ready for the offsite agency review.

Vernon answered not for awhile yet. He will try to get a project schedule together. They would like to submit that this year. They will make sure the state is kept in the loop and he will work

with Carol on this.

Vernon wanted to mention one more item that an invitation was extended to the Emergency Management Agency to attend the Security Emergency Preparedness tabletop during the week of February 7 at Vermont Yankee. This is the fourth tabletop that has been conducted – they have done one in each of the four NRC regions, and this is for Region I. They welcome the state’s input. They will look at new drill and exercise performance objectives for emergency preparedness. An invitation has also been extended to West Virginia and Pennsylvania.

Q: Carol O’Claire asked if the initiative was to have security-related exercise once every six years.

Vernon answered yes. He stated that there are three evaluated exercises during the six year cycle, and one would be a security-related evaluated exercise. There would be one security-related exercise, one ingestion exercise and one would be a plume phase.

MISCELLANEOUS

Greg Hanlon mentioned that the Columbus Dispatch and the Plain Dealer had a story on the small earthquake that was 2.6 on the Richter Scale that took place at Mentor-on-the-Lake. He stated that the Perry Plant did not feel the earthquake.

ADJOURNMENT

Anthony Mitchell of the Department of Agriculture, made a motion to adjourn, it was seconded by Dean Jagger of the Department of Commerce. Melvin House adjourned the meeting at 3:30 p.m. The next meeting will be April 10, 2006.

DATE

**NANCY J. DRAGANI, CHAIR
UTILITY RADIOLOGICAL SAFETY BOARD**